

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Students for Life of America, *et al.*,

Plaintiffs,

v.

Ann Gillespie, Acting Director of the Illinois
Department of Insurance

Defendant.

Case No. 1:24-cv-11928

District Judge Jeffrey I. Cummings
Magistrate Judge Beth W. Jantz

DEFENDANT’S NOTICE OF SUPPLEMENTAL AUTHORITY

Defendant Acting Director of the Illinois Department of Insurance Ann Gillespie, by her attorney, the Illinois Attorney General, hereby notices the Court of supplemental authority in support of her Motion to Dismiss Plaintiffs’ Second Amended Complaint. (Dkt. 25.)

1. On February 27, 2025, Plaintiffs filed their Second Amended Complaint. (Dkt. 19.)
2. On March 31, 2025, Defendant filed her Motion to Dismiss Plaintiffs’ Second Amended Complaint, pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). (Dkt. 25.)
3. As of June 13, 2025, the motion has been fully briefed by all parties. (*See* Dkt. 25, 26, 29, 35.)
4. On June 26, 2025, the United States Supreme Court issued its decision in *Medina v. Planned Parenthood South Atlantic*, No. 23-1275, 606 U.S. _____. The *Medina* decision further supports Defendant’s Motion to Dismiss for the reasons set forth below.
5. In its decision, the Supreme Court affirmed its prior decisions in *Gonzaga Univ. v. Doe*, 536 U.S. 273 (2002) and *Health and Hospital Corporation of Marion Cty. v. Talevski*, 599

U.S. 166 (2023), that federal statutes create individual rights only in rare instances. *Medina* at 6, 12, 13. If an individual wishes to assert a purported individual right in a federal law using Section 1983, the invoked statute must show that rights, and not merely benefits, are conferred to an individual. *Id.* at 6. The statute must “clearly and unambiguously use[] rights-creating terms,” with an “unmistakable focus on individuals” seeking to assert the right. *Id.* at 6 (removing internal quotation marks).

6. Moreover, the Supreme Court noted that federal spending-power statutes are “especially unlikely” to confer such individual rights. *Id.* at 8. It affirmed its prior holding in *Gonzaga*, that “[s]pending-power legislation . . . cannot provide the basis for a § 1983 enforcement suit unless Congress ‘speaks with a clear voice, and manifests an unambiguous intent to confer individual rights.’” *Medina* at 12 (citing *Gonzaga*, 536 U.S. at 280). The Supreme Court went on to confirm that *Talevski* reaffirmed these points, and that the standard is “a ‘demanding bar’ and a ‘significant hurdle’ that will be cleared in only the ‘atypical case.’” *Medina* at 13 (citing *Talevski*, 599 U.S. at 180, 183-84). And as the Supreme Court further explained, “[I]f existing remedies prove insufficient, Congress can create new ones.” *Medina* at 23.

7. The *Medina* decision confirms that, pursuant to *Talevski* and *Gonzaga*, Plaintiffs cannot use Section 1983 to enforce the Coats-Snowe and Weldon Amendments. The Amendments are spending-clause statutes that do not contain an unambiguous intent to confer individual rights onto any of the Plaintiffs. (*See* Dkt. 26 at 25-26; Dkt. 35 at 16-19.)¹

8. The *Medina* decision is attached at Exhibit A-1.

¹ “Dkt. at ___” refers to the docket and page number generated by the ECF system.

Dated: June 30, 2025

Respectfully submitted,

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